

Notice of Allowability

Application No.

09/658,977

Examiner

Rob Rhode

Applicant(s)

SCULLER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/20/2004.
2. ☒ The allowed claim(s) is/are 1-46.
3. ☒ The drawings filed on 25 September 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 8/20/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jeffrey A. Smith
Primary Examiner

DETAILED ACTION

Response to Amendment

Response received on 6/1/2004 is acknowledged and entered. Currently, claims 1 – 46 have been examined.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeffrey S. Dickey on November 2, 2004.

The application has been amended as follows:

In the Claims

1. (currently amended) A method of retrieving product distribution information comprising:

(a) storing a plurality of agreements ~~from~~ in computer-accessible memory where each agreement identifies a buyer, a seller and a product to be provided from said seller to said buyer,

(b) retrieving a first agreement from said computer-accessible memory, wherein the first agreement comprises information that identifies a first entity as said buyer, a second entity as said seller, and a first product as said product,

(c) processing the information ~~stored~~ retrieved for the first agreement with a computer processor, wherein the processor determines whether a second agreement stored in the computer-accessible memory identifies the seller second entity in said first agreement as a buyer in said the second agreement, and determines whether the product in the second agreement relates to the ~~product~~ first product in the first agreement, and returns the identity of the second agreement depending on the result, and

(d) generating a product order pursuant to the identified second agreement.

2. (currently amended) The method of claim 1 further comprising the step of storing a third agreement identifying the seller in the second agreement as a buyer in the third agreement, and where the product in the third agreement is related to the product in the second agreement.

3. (previously presented) The method of claim 1 wherein said product is a stamp.

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4. (currently amended) The method of claim 1 wherein the product in the first agreement is a first product, the product in the second agreement is a second product, and the first and second products are related if the first product is a part or all of a the second product.

5. (previously presented) The method of claim 1 wherein said product is a service or a product and a service.

6. (currently amended) The method of claim 1 wherein said steps of storing agreement information further comprises storing the compensation which seller agrees to accept for said product from said buyer.

7. (previously presented) The method of claim 6 wherein said compensation is the price of the product.

8. (previously presented) The method of claim 7 wherein said compensation is a commission.

9. (previously presented) The method of claim 1 wherein said first entity is a class of entities.

10. (previously presented) The method of claim 9 wherein said class is the general public.

11. (currently amended) The method of claim 9 wherein said step of retrieving said first agreement information comprises displaying to said first entity at least two products associated with those agreements identifying said first entity as said buyer, and determining said first agreement information based upon the product selected by an entity of said class.

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12. (previously presented) The method of claim 1 further comprising the step of storing a description of said product.

13. (previously presented) The method of claim 12 wherein said description comprises an image, a textual description, or an image and a textual description.

14. (currently amended) The method of claim 1 further comprising the steps of:

(a e) said first entity requesting the product from said second entity and storing said request,

(b f) storing a request for said product by said second entity to said third entity based on the second agreement information.

15. (previously presented) The method of claim 14 further comprising notifying said third entity of said request.

16. (previously presented) The method of claim 14 wherein said requests includes the quantity of said product.

17. (previously presented) The method of claim 14 wherein said requests include the shipping destination or destinations of said product.

18. (currently amended) The method of claim 1 wherein said step of processing ~~retrieving said second agreement information~~ comprises searching for agreements wherein the buyer of the agreement identifies the second entity ~~seller of said first agreement~~ and the product of the agreement identifies the product of said first agreement.

19. (currently amended) The method of claim 1 further comprising the steps of storing additional agreements associated with said product; repeating said step of retrieving

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said second agreement by recursively assuming that some of the values of said first agreement are equal to the values of said second agreement.

20. (currently amended) The method of claim 19 wherein said step of repeating terminates when there is no agreement identifying the seller of said second agreement as a buyer of the same product in another agreement.

21. (currently amended) A method of providing information about a product including typesetting comprising:

- (a) storing data representing a product available from a mid-level entity to a class of customers in a computer accessible memory, said product including typesetting;

- (b) storing data, in a computer-accessible memory, representing an agreement by a top-level member to provide said product to said mid-level member;

- (c) receiving a customer request from a customer of said class of customers for said product, said customer request including typesetting information describing said typesetting;

- (d) storing said customer request in a said computer accessible memory;

- (e) causing a computer processor to retrieve said agreement from said computer-accessible memory based on the identity of said product and the identity of said mid-level member associated with said customer request, wherein the agreement identifies the mid-level member as the recipient of the product provided by the top-level member;

(f) ~~said processor~~ using processing the retrieved agreement to generate a second request that said top-level member provide said product to said mid-level member, said second request identifying said typesetting information;

(g) transmitting said second request to said top level member.

22. (previously presented) The method of claim 21 wherein said class of customers comprises a single entity.

23. (previously presented) The method of claim 21 further comprising storing data representing an agreement by a third member to provide said product to said top-level member; retrieving said agreement by said third member based on the identity of said product and the identity of said top-level member.

24. (previously presented) The method of claim 23 wherein said typesetting information comprises an image.

25. (previously presented) The method of claim 24 further comprising the steps of receiving a plurality of requests from a plurality of customers of said class of customers, and wherein the image associated with one customer request is different from the image associated with another customer request.

26. (previously presented) The method of claim 25 wherein said step of storing said customer requests from said customers comprises storing said different images in the same file format.

27. (previously presented) The method of claim 26 further comprising the step of said top-level member retrieving said image.

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28. (previously presented) The method of claim 27 further comprising the step of converting said image from said file format to a different file format before said step of said top-level member retrieving said image.

29. (previously presented) The method of claim 25 wherein said step of storing said customer requests from said customers comprises storing said different images in different file formats.

30. (previously presented) The method of claim 29 wherein said different file formats correspond with file formats used by said members.

31. (previously presented) The method of claim 21 further comprising the step of manufacturing said product.

32. (previously presented) The method of claim 21 wherein said product is a stamp and said typesetting relates to the impression on said stamp.

33. (previously presented) The method of claim 21 wherein said requests identify said typesetting information by reference to information stored in a database.

34. (previously presented) The method of claim 21 wherein said step of receiving said customer request comprises receiving said customer request over a global telecommunications network.

35. (currently amended) A method of retrieving information comprising:

(a) storing first agreement information and second agreement information in computer accessible memory, said agreement information identifying a buyer, a seller and a first product provided from said seller to said buyer,

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(b) identifying said first agreement information which identifies identifying a first entity as said buyer, a second entity as said seller, and a first product as said product,

(c) identifying said second agreement information identifying which identifies said second entity as said buyer, a third entity as said seller, and a second product as said product,

(d) retrieving said first agreement information from said computer accessible memory,

(e) processing in a computer processing the first agreement information so as to retrieve said second agreement information based on ~~the identity of said~~ whether the computer-accessible memory indicates that the second entity is indicated as being both a seller in the first agreement information and a buyer in the second agreement information.

36. Canceled

37. Canceled

38. Canceled

39 36. (currently amended) A system for storing information about agreements between buyers and sellers, said system maintained by an administrator, said system comprising:

(a) data stored in a computer accessible memory database representing an agreement by a middle entity to provide a product to a bottom entity in exchange for compensation and an agreement by a top entity to provide a related product to said

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middle entity in exchange for compensation, none of said entities being said administrator, and

(b) a processor for utilizing said data to process a request for said product from said bottom entity to said middle entity such that said request generates a request for said product from said middle entity to said top entity based on the middle entity being identified as the buyer in one of the stored agreements and the seller in the other stored agreement.

40 37. (previously presented) The system of claim 39 wherein said data further comprises another agreement by another entity to provide said product to said top entity.

44 38. (currently amended) A method of retrieving information relating to a request for personalized products, said method comprising:

(a) storing, in computer-accessible memory, an agreement by a second entity to provide a product to a first entity,

(b) storing, in computer-accessible memory, an agreement by a third entity to provide said product to said second entity,

(c) requesting by said first entity ~~requesting~~ said product from said second entity such that the request includes modifying the product in accordance with personalization information provided by said first entity, said personalization information being particular to said first entity, and

(d) causing a computer processor to generate a request for said product from said second entity to the third entity, wherein the processor determines whether the

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second entity is common to the stored agreements, and wherein the processor includes the personalization information in the request from said second entity to said third entity.

42 39. (previously presented) The method of claim 41 wherein said personalization information comprises an image.

43 40. (currently amended) A method of selling products over the world-wide web, said method comprising:

- (a) providing a database centrally storing agreements between a plurality of members to sell a product;

- (b) sending a web page from a first member to a customer, said web page identifying a product that is the subject of one of said agreements of said database;

- (c) receiving a request for said product from said customer, said request including an image provided by said customer;

- (d) generating a first purchase order from said first member to a second member based on a second agreement stored in said database, said purchase order including said image, and

- (e) generating, with a computer processor, a second purchase order from said second member to a third member based on the processor['s] determination of whether a third agreement is stored in the database such that the second member is indicated as a purchaser of the product from the third member[,] said purchase order including said image.

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44-41. (previously presented) The method of claim 43 further comprising the step of said members storing said agreements by sending information relating to such agreement to said database.

45-42. (previously presented) The method of claim 43 wherein said product comprises a stamp having an impression representing said image.

46-43. (previously presented) The method of claim 43 wherein said product comprises a printed item or sign containing said image.

By virtue of the above Examiner's Amendment claims 1 - 46 are pending for examination and are allowed.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance and the statement of allowance is with reference to independent claims 1, 21, 35, 36, 39, 41 and 43. Claims 2 - 20 are dependencies of claim 1; claims 22 - 34 are dependencies of claim 21; claims 37 - 38 are dependencies of claim 36; claim 40 is dependent from claim 39; claim 42 is dependent from claim 41; and Claims 44 - 46 are dependencies of claim 43.

The Applicant's invention in claims 1, 21, 35, 36, 39, 41 and 43 are directed to a novel and non-obvious method and system for identifying various agreements in which

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a determination is made by a computer whether a second agreement identifies the seller in the first agreement as a buyer in the second agreement and in turn determines whether the product in the second agreement relates to the product in the first agreement, and returns the identity of the second agreement. In claim 21, the claim is directed to a novel and non-obvious method and system for various agreements including typesetting and the method claims recite the same patentable relationship between buyer, seller and related product agreements. The invention claimed in the independent claims are distinguished from prior art of record by the fact that a system with **a processor for retrieving a second agreement record based on a first agreement record, whereby said buyer identified in said second agreement record is the same entity as the seller identified in said first agreement record, and whereby said product identified in said second agreement record is related to said product identified in said first agreement record.**

Discussion of the most relevant prior art, which does not disclose the invention as stated in claims 1 and 21:

A. US Patents and PG-Pubs.

(i) US Patent US 6,260,024 B1 to Shkedy discloses a method and system for bilateral buyer driven system for creating contracts. Shkedy discloses a method and

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system where the individual buyers purchase requirements are aggregated together in order to obtain bids from sellers on these larger quantities and thereby receive reduced prices. Shkedy does not teach a method or system for determining whether a seller in a first agreement can also be identified as a buyer in a second agreement as well as recursively determining additional similar agreements. This online system and method disclosed by Shkedy fails to anticipate the above bolded unique limitations or render them obvious.

(ii) US 6,263,371 B1 to Sharp discloses a system and method that allows manufactures and distributors of brand products to participate in the e-commerce marketplace without violating existing distribution channels. Sharp discloses a web based system and method where customers can place orders for brand name products and then allocating orders to manufactures, distributors and retailers according to distributing channel protocols defined by manufactures. Sharp does not teach a method or system for determining whether a seller in a first agreement can also be identified as a buyer in a second agreement as well as recursively determining additional similar agreements. This online system and method disclosed by Sharp fails to anticipate the above bolded unique limitations or render them obvious.

(iii) US 6,167,378 to Webber Jr. discloses a method and system for automation of the transaction space. Webber Jr. discloses a method and system for automating of the transaction space which includes, in part, automation of supplier fulfillment instructions;

special instructions, logistics, shipping coordination, generation of transactional data, necessary reporting, payments and banking in consideration of completed transactions. The parties participating in the transaction space include, first, sellers that digitally transmit point of sale ("POS") data to the system, then the primary order fulfillment company, the shipper, banks and preceding levels of suppliers, manufacturers, shippers and banks. Specifically, the method and system enable digital contracts of these parties to operate together. The digital contracts are drafted, are ratified for usage by the contracting parties, are stored and operate automatically upon the occurrence of certain events. Webber Jr. does not teach a method or system for determining whether a seller in a first agreement can also be identified as a buyer in a second agreement as well as recursively determining additional similar agreements. This online method and system disclosed by Webber Jr. fails to anticipate the above bolded unique limitations or render them obvious.

(iv) US 6,324,522 B2 to Peterson et al discloses an online system and method for distributing industrial maintenance and operating (MRO) parts and supplies. For example, Peterson discloses an information network by which each vendor can communicate to other vendors a current inventory quantity and a current price of the item as well as a step which includes establishing an agreement among vendors in which a first vendor agrees to sell to a second vendor, up to the then inventory quantity and price. Further, Peterson does not teach a method or system for determining whether a seller in a first agreement can also be identified as a buyer in a second

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agreement as well as recursively determining additional similar agreements. This online system and method disclosed by Peterson fails to anticipate the above bolded unique limitations or render them obvious.

B. Non Patent Literature

(v) "iPrint, Inc. Technology Selected to Power Leading Office Services Franchise"; Business Wire; New York; Feb. 8, 1999, Business Editors and "iPrint.com to Offer Free Picture Mug to Intel WebOutfitter Service Members"; Business Wire; New York; Aug. 17, 1999; Business Editors/Technology Writers (hereafter referred to collectively as "iPrint")" articles discloses online ordering of office products including typesetting as well as storing data representing products available from a mid level entity to different customers such as the public. Further, "iPrint" does not teach a method or system for determining whether a seller in a first agreement can also be identified as a buyer in a second agreement as well as recursively determining additional similar agreements. This online system and method disclosed by "iPrint" fails to anticipate the above bolded unique limitations or render them obvious.

C. Foreign Patent Literature

(vi) (JP 11212921 A) to Van Wingarden discloses a method to supply information to different participants as well as multilevel access to site information.

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Van Wingarden does not teach a method or system for determining whether a seller in a first agreement can also be identified as a buyer in a second agreement as well as recursively determining additional similar agreements. This online system and method disclosed by Wingarden fails to anticipate the above bolded unique limitations or render them obvious.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Rhode whose telephone number is (703) 305-8230. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on (703) 308-3588.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

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Alexandria, Va. 22313-1450

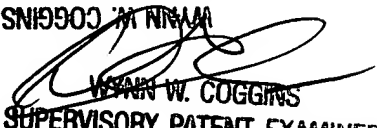
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"Box AF"]

(703) 746-7418 [Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, 7th floor receptionist.

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